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UNITED STATES DISTRICT COURT
SOUTHERN DISTRICT OF NEW YORK

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TUEBOR REIT SUB LLC,

Case No. 19-cv-8540-JPO

Plaintiff,

-against-

**AFFIDAVIT OF
NATIN PAUL**

NATIN PAUL a/k/a NATE PAUL,

Defendant.

-----X

STATE OF TEXAS)
ss.:
COUNTY OF TRAVIS)

NATIN PAUL, being duly sworn, deposes and says:

1. I am an individual over 18 years of age, am the named defendant in this action, and make the factual allegations contained herein based upon my own personal knowledge. If called to testify, I would do so truthfully and consistent with the following, which I believe to be true and correct subject to the penalties of perjury.

2. I submit this affidavit for the sole purpose of supporting the instant motion seeking to dismiss the Amended Complaint in this action under Fed. R. Civ. P. 12(b)(5) based upon Plaintiff's failure to properly effectuate service upon me, which I understand is a necessary prerequisite to the Court exercising jurisdiction over me and this action. I submit this affidavit with full reservation of, and without waiving, any of my rights, defenses or objections to the maintenance of this action against me.

3. 767 FIFTH AVENUE, 16TH FLOOR, NEW YORK, NEW YORK 10153 is not, nor has it ever been, my actual place of business, dwelling place or usual place of abode.

4. I do not personally transact business at any office in New York with any regularity, nor do I regularly receive mail at any office in New York.

5. My actual place of business, dwelling place and usual place of abode have always been in Texas, and have been in Austin, Texas since 2012 .

6. My actual place of business is, and has been since April 1, 2019, 814 Lavaca St., Austin, TX 78701. Prior to that time, my actual place of business was 401 Congress Avenue, 33rd Floor, Austin, Texas 78701, which was listed as my address in the Guaranty annexed as Exhibit A to the Verified Complaint herein.

7. I have never been personally served with the Summons and Amended Complaint in this action.

8. I have not attempted to evade service of the Summons and Amended Complaint (or the original Complaint) in this action, nor am I aware of any attempt to serve me at my actual place of business, dwelling place or usual place of abode in Austin, Texas.

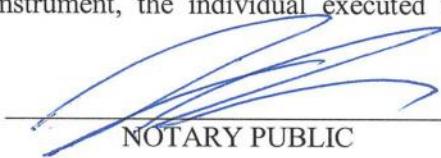
9. To the best of my knowledge, no one ever left the Summons and Amended Complaint (or the original Complaint) in this action with anyone, let alone a person of suitable age and discretion, at my actual place of business, dwelling place or usual place of abode in Austin, Texas. I never received an envelope in the mail at my actual place of business, dwelling place or usual place of abode in Austin, Texas containing the Summons and Amended Complaint (or the original Complaint) in this action, let alone one bearing the legend "Personal & Confidential."

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STATE OF TEXAS)
ss.:
COUNTY OF TRAVIS)


NATIN PAUL

On the 13rd day of November in the year 2019, before me, the undersigned, a Notary Public in and for said State, personally appeared NATIN PAUL, personally known to me or proved to me on the basis of satisfactory evidence to be the individual whose name is subscribed to the within instrument and acknowledged to me that by his/her/their signature on the instrument, the individual executed this instrument.


NOTARY PUBLIC

